

condemnation of 462 boxes of oranges, at Chicago, Ill., alleging that the article had been shipped on March 22, 1919, by James Gentile & Co., Highland, Calif., and transported from the State of California into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On April 15, 1919, C. H. Weaver & Co., Chicago, Ill., claimants, having admitted the allegation of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sorted under the supervision of a representative of this department, the portion found fit for human food to be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, and the unfit portion to be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**7338. Adulteration of frozen eggs. U. S. \* \* \* v. 696 Cases of Frozen Eggs. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 10107. I. S. No. 5635-r. S. No. C-1187.)

On April 29, 1919, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 696 cases of frozen eggs at Chicago, Ill., alleging that the article had been shipped on December 11, 1918, by E. B. Higley Co., Mason City, Iowa, and transported from the State of Iowa into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed animal substance, and for the further reason that it consisted in part of a filthy animal substance, and for the further reason that it consisted in part of a putrid animal substance.

On July 29, 1919, the said E. B. Higley Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act, conditioned in part that the product be examined under the supervision of a representative of this department, the portion found fit for human consumption to be released to said claimant, and the portion found unfit for human consumption to be released to said claimant to be used for manufacturing purposes only and not for human consumption.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**7339. Misbranding of butter. U. S. \* \* \* v. 70 Boxes of Butter. Consent decree of condemnation and forfeiture. Product ordered released on bond.** (F. & D. No. 10108. I. S. Nos. 16187-r, 16188-r. S. No. E-1331.)

On April 29, 1919, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 boxes of butter, remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped on or about April 14, 1919, by the Lexington Creamery Co., Lexington, Ky., and transported from the State of Kentucky into the State of Georgia, and charging

misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Creamery Butter."

Misbranding of the article was alleged in the libel for the reason that each of the packages did not weigh 1 pound net or  $\frac{1}{4}$  pound net, as stated upon the labels of the packages, but contained materially less than 1 pound or  $\frac{1}{4}$  pound, as stated on the label. Misbranding of the article was alleged for the further reason that the statement on the packages that the weight of said packages was 1 pound net or  $\frac{1}{4}$  pound net was false and misleading in that the weight of each of the said packages was materially less than 1 pound net or  $\frac{1}{4}$  pound net. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package in terms of weight.

On May 15, 1919, the said Lexington Creamery Co. having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$2000, in conformity with section 10 of the act.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**7340. Adulteration of walnut meats. U. S. \* \* \* v. 7 Barrels of Walnut Meats. Good portion ordered released on bond. Unfit portion ordered destroyed.** (F. & D. Nos. 10482, 10483. I. S. Nos. 2028-r, 2029-r. S. No. W-397.)

On or about June 2, 1919, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 7 barrels of walnut meats, consigned by the American Fruit Distributors, Wilmington, Calif., remaining unsold in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped on or about May 5, 1919, and transported from the State of California into the State of Washington, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On July 31, 1919, the Parisian Chocolate Co. and the Queen Anne Candy Co., Seattle, Wash., claimants, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the good portion of the product be released to said claimants upon the execution of a bond in the aggregate sum of \$550, in conformity with section 10 of the act, and that the unfit portion be destroyed by the United State marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*

**7341. Misbranding of olive oil. U. S. \* \* \* v. 28 Cans of Olive Oil. Default decree of condemnation, forfeiture, and sale.** (F. & D. Nos. 10484, 10485, 10486. I. S. Nos. 12941-r, 12942-r, 12943-r, 12944-r. S. No. E-1478.)

On June 3, 1919, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel of information praying the seizure and condemnation of 28 cans of olive oil, consigned on April 29, 1919, at Peabody, Mass., alleging that the article had been shipped by Spiropulos & Theodore, New York, N. Y., and transported from the State of New York into the Commonwealth of Massachusetts, and charging misbranding in violation